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SIPDIS

STATE PASS USTR FOR NED SAUMS
USDOC FOR 4520/ITA/MAC/ONE/COBERG
STATE PASS USPTO FOR URBAN

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TAGS: [KIPR](#) [ETRD](#) [JO](#)

SUBJECT: ENGAGING THE GOJ ON IPR COMPLAINT FROM ELECTRONIC
ARTS

[11.](#) (u) Summary: We have met over the past weeks with a number of GOJ officials regarding the complaint Electronic Arts (EA) raised through the International Intellectual Property Alliance (IIPA) regarding importation of pirated software from Syria. The cause of the complaint appears to have been a communications breakdown within Jordan's piracy interdiction system, rather than a willful attempt to circumvent the existing IPR protection regime. Nevertheless, our interviews have highlighted gaps in the current system that we hope to begin addressing through increased training and retooling of the procedural and legislative framework for IPR protection in Jordan. End summary.

EA'S COMPLAINT

[12.](#) (u) On December 11, 2002, the International Intellectual Property Alliance (IIPA) brought to the attention of USPTO and the Embassy a claim by Electronic Arts (EA), an entertainment software developer, that Jordanian customs authorities had been releasing unauthorized copies of EA software imported from Syria into the local market without first seeking the opinion of the National Library (the entity responsible for copyright enforcement in Jordan). EA asserted that Jordanian customs had instead relied on approvals from the Ministry of Information's "Censorship Office", which has no copyright enforcement authority, as the basis for releasing the pirated goods.

[13.](#) (u) Later that same day, USPTO raised EA's complaint with the Jordanian delegation to the Joint Economic Committee meeting in Washington, at which time Jordanian Trade Minister Salah Bashir assured the USDEL that such a practice was not in conformity with Jordanian law. He pledged to review the complaint upon his return to Amman.

FOLLOW UP ACTION

[14.](#) (u) Following up, emboffs spoke with EA's local distributor, Shihab Khalil, to flesh out the details of his complaint. We then met throughout January with officials in the Trade Ministry, Customs Directorate, the Amman Customs House, the Jaber border crossing with Syria, the National Library, and the Censorship Office. We relayed in each case the USG's concerns over the possibility that GOJ offices had sanctioned the importation of unauthorized EA software. GOJ officials reiterated that such activity would not be in conformity with Jordanian law. The final decision maker in this case, the Amman customs house, admitted that such activity had taken place in the past, but assured us that the culprit was lack of communication among Customs, the National Library, and the Censorship Office. He assured us this would not be a problem in the future.

COMMENT

[15.](#) (u) Jordan has an overall good track record with regards to interdiction of unauthorized A/V material and software. During our trip to the Syrian border, we visited the interdiction warehouse and saw the daily "take" of pirated CD music and games - maybe two dozen copies confiscated from individual travelers. The biggest hurdle to better interdiction in the first instance is that CD's are easily concealed and transported - several hundred can be brought over in a shoebox by a taxi driver. The GOJ has asked for additional periodic training for line officers at border points on IPR issues, which we are examining. Nevertheless, interdiction will never be air-tight.

[16.](#) (u) Jordan is an importer of pirated goods but not a producer. We are looking at an institutional level for ways to improve IPR enforcement in the kingdom. In the case of the EA issue, that means looking at new mechanisms for closer communication among Customs, the National Library, and the Censorship Office. It also means looking at current IPR legislation to find ways to beef up the National Library's ability to initiate enforcement action. This could mean, for instance, expanding the scope of its legal authority - currently, the Library only has authority to confiscate goods found in shops. It has no authority at border points or even on the street. We will work with the Library and other entities in coming months to improve these and other aspects

of Jordan's IPR environment.
GNEHM